

**REMARKS/ARGUMENTS****1.) Amendment to the Specification**

Applicants have amended the specification to correct a grammatical mistake.

**2.) Amendments to the Claims**

Applicants have amended claims 1, 7, 13 and 18 and support for their amendments can be found, for example, on page 5, lines 5-9. Accordingly, claims 1-20 are pending in the application. Favorable reconsideration of the present patent application is respectfully requested in view of the foregoing amendments and the following remarks.

**3.) Claim Rejections – 35 U.S.C. § 102(b)**

Claims 1-4 stand rejected under 35 U.S.C. 102(a) as being anticipated by U.S. Patent No. 5,432,473 issued to Mattila et al., (hereinafter "Mattila"). In response, Applicants have amended independent claim 1 to better distinguish the claimed invention from Mattila. For reasons discussed below, the rejection is traversed insofar as it is applied to the amended claim 1.

To support such rejection, Jonas must disclose every element of the invention as claimed. More particularly, "a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

With the above requirement in mind, Applicant respectfully submits that Jonas fails to disclose every element of the invention as specified in claim 1. For example, Jonas fails to disclose the claimed limitation of "wherein during its operation the active element maintains a fixed DC voltage at the resistor input." Assuming *arguendo* that operational amplifier N21 of Jonas is similar to the active element of the present invention as suggested by the Examiner, such operational amplifier N21 does

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not maintain a fixed output voltage during its operation. *Jonas, column 4, lines 41-58.* More specifically, during its operation in analog transmission mode, the output voltage of the operational amplifier increases in response to increasing  $V_{pwr}$ . *Jonas, column 4, lines 46-48.* The output voltage of the operational amplifier 21 also varies during its operation in digital transmission mode. *Jonas, column 4, lines 52-55.* In contrast, the claimed biasing circuit of the present invention has an active element and a resistor in which during its operation the active element maintains a fixed DC voltage at its output being coupled to an input of the resistor. That is, the output voltage of the active element is fixed and does not vary during its operation.

Accordingly, claim 1 as amended should be allowable because Jonas fails to disclose every element of the invention as claimed and thus does not anticipate claim 1 based on the above discussion.

Claims 2-4 are also believed to be allowable for reasons similar to those discussed above with respect to claim 1.

#### 4.) Claim Rejections - 35 U.S.C. § 103(a)

Claims 1-4 also stand rejected under 35 U.S.C. 103(a) as being obvious over Mattila. Before addressing this rejection, it should be noted that the Examiner bears the initial burden of factually supporting any *prima facie* conclusion of obviousness. *MPEP 2143.* To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *MPEP 2143.03.* With the above requirement in mind, Applicant respectfully submits that the Examiner has not met this burden for the following reasons.

As discussed above, the output voltage of Jonas's operational amplifier N21 varies during the operation of such operational amplifier. Jonas simply fails to teach the claimed limitation of "wherein during its operation the active element maintains a fixed DC voltage at the resistor input." In addition, Jonas does not provide any motivation or suggestion to modify the operational amplifier N21 so that during its operation it would maintain a fixed DC voltage at its output.

Accordingly, claims 1-4 are believed to be non-obvious and patentably distinguishable over Jonas.

**5.) Claim Rejections – 35 U.S.C. § 103(a)**

Claims 5-20 stand rejected under 35 U.S.C. 103(a) as being obvious over Mattila in view of U.S. Patent No. 4,320,352 issued to Rubin et al. (hereinafter "Rubin"). Again, it should be noted that the Examiner bears the initial burden of factually supporting any *prima facie* conclusion of obviousness. *MPEP 2143*. To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *MPEP 2143.03*. With the above requirement in mind, Applicant respectfully submits that claims 5-20 are non-obvious and patentably distinguishable over the cited prior references for the following reasons.

Regarding claims 5-6, they depend on claim 1. Although the Examiner has not rejected claim 1 as being obvious over the cited prior art references, Applicants now would like to discuss why claim 1 is believed to be non-obvious and patentably distinguishable over Mattila in view of Rubin. This discussion is necessary because claims 5-6 include the limitations of claim 1. As discussed above with respect to claim 1, Jonas fails to teach or suggest the claimed limitation of **"wherein during its operation the active element maintains a fixed DC voltage at the resistor input."** Likewise, Rubin also fails to teach or suggest this claimed limitation. More specifically, assuming *arguendo* that operational amplifier 6 of Rubin is similar to the present inventive active element as suggested by the Examiner in the previous Office Action mailed on 9/24/2002, its output voltage at E varies during its operation by either becoming more negative or more positive. *Rubin, column 2, lines 52-53, column 3, lines 24-27 and column 4, lines 23-26*. Thus, the operational amplifier 6 of Rubin also does not maintain a fixed output voltage. Furthermore, Rubin fails to provide any motivation or suggestion to modify the operational amplifier 6 so that during its operation it would maintain a fixed DC voltage at its output. Thus, claim 1 is believed to be non-obvious and patentably distinguishable over Mattila in view of Rubin because they both fail to teach or suggest all of the limitations of claim 1. Accordingly, its dependent claims 5-6 should also be non-obvious and patentably distinguishable over Mattila in view of Rubin. *MPEP 2143.03*.

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Regarding claim 7, it is believed to be non-obvious and patentably distinguishable over Mattila in view of Rubin for reasons similar to those discussed above with respect to claim 1.

Regarding claims 8-12, they depend on claim 7, which is believed to be allowable as discussed above. Accordingly, claims 8-12 should also be non-obvious and patentably distinguishable over Mattila in view of Rubin. *MPEP 2143.03.*

Regarding claim 13, it is believed to be non-obvious and patentably distinguishable over Mattila in view of Rubin for reasons similar to those discussed above with respect to claim 1.

Regarding claims 14-17, they depend on claim 13, which is believed to be allowable as discussed above. Accordingly, claims 14-17 should also be non-obvious and patentably distinguishable over Mattila in view of Rubin. *MPEP 2143.03.*

Regarding claim 18, it is believed to be non-obvious and patentably distinguishable over Mattila in view of Rubin for reasons similar to those discussed above with respect to claim 1.

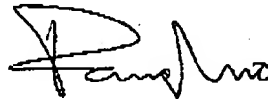
Regarding claims 19-20, they depend on claim 18, which is believed to be allowable as discussed above. Accordingly, claims 19-20 should also be non-obvious and patentably distinguishable over Mattila in view of Rubin. *MPEP 2143.03.*

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**CONCLUSION**

Claims 1-20 are presently standing in the application. In view of the foregoing remarks, each and every point raised in the Final Office Action mailed on March 26, 2003 has been addressed on the basis of the above remarks. Applicants believe all of the claims currently pending in this patent application to be in a condition for allowance. Reconsideration and withdrawal of the rejections are respectfully requested. However, should the Examiner believe that direct contact with Applicant's attorney would advance the prosecution of the application, the Examiner is invited to telephone the undersigned at the number given below.

Respectfully submitted,



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